## **DECLARATION AND POWER OF ATTORNEY**

As a below named joint inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the improvement in the patent application entitled:

## "ACIDIC SOLUTION OF SPARINGLY-SOLUBLE GROUP IIA COMPLEXES"

described and claimed in a continuation-in-part application of co-pendingUnited States Application for Patent Serial No. 09/253,482, filed February 19, 1999.

I have reviewed and understand the contents of the continuation-in-part specification, including the claims.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application as defined in 37 CFR § 1.56 which became available between the filing date of our earlier filed pending application and the filing date of this continuation-in-part application; that, as to the subject matter of this application which is common to said earlier application I do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to said earlier applications, or in public use or on sale in the United States of America more than one year prior to said earlier application.

Said common subject has not been patented or made the subject to an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier application, and that no application for patent or inventor's certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America.

As to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent or inventor's certificate on said invention

has been filed by us or our representatives or assigns in any country foreign to the United States of America.

We hereby appoint:

David H. Hitt, Registration No. 33,182

T. Ling Chwang, Registration No. 33,590

Charles W. Gaines, Registration No. 36,804

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all of the firm of HITT CHWANG & GAINES, P.C., our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in § 1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application.

APPLICATION SERIAL NO.

DATE FILED

**STATUS** 

09/253,482

February 19, 1999

Pending

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and direct all telephone calls to T. Ling Chwang at (972) 480-8800.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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